

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

YISRAEL-BEY, PARAHKIYAH, o/b/o  
AAILYAH:AL-BEGUM,

Plaintiff,

v.

LAWERENCE O'TOOLE, et al.,

Defendants.

No. 4:17-CV-2631 SPM

**MEMORANDUM AND ORDER**

Before the Court is plaintiff's amended complaint. Plaintiff was ordered on October 30, 2017, to file a motion to proceed in forma pauperis, along with a CJA 23 Financial Affidavit, or pay the full \$400 filing fee. Although plaintiff has filed a motion to proceed in forma pauperis, she has failed to file her CJA 23 Financial Affidavit. Thus, the Court is unable to grant plaintiff leave to proceed in forma pauperis.

Moreover, plaintiff has failed to pay the \$400 filing fee in this matter. And she has not filed her amended complaint on a court-provided form as she was instructed to do. Thus, this action will be dismissed, pursuant to Federal Rule of Civil Procedure 41(b).

The Court notes, however, that even if plaintiff had included her CJA Financial Affidavit in this matter, this action would be subject to preservice dismissal, pursuant to 28 U.S.C. § 1915. Plaintiff, Parahkiya:Yisrael-Bey, states in this action that she believes her civil rights were violated when she was stopped by St. Louis City police when she was driving her vehicle with her children in the car on July 9, 2017. However, plaintiff admits in her complaint that she argued with the officers about why she was being pulled over, and about why they needed to see identification, and about whether or not her car was properly licensed. Plaintiff states that ultimately she and her older daughter were handcuffed and subdued and her car was seized, and

she admits that this occurred, in part, because she refused to produce a valid Missouri driver's license for herself and for her car. Plaintiff claims in her complaint that she believes that a driver's license is "the sole and private property of the secured party creditor parahkiyah:yisrael-bey and is not for public use."

Plaintiff's Fourth Amendment false arrest and false imprisonment argument appears to rely on her belief that the State of Missouri, and the United States Government, has no ability to bring and pursue criminal charges against her. The arguments set forth by plaintiff are frivolous and similar to the "sovereign citizen" arguments frequently brought before this Court. *See United States v. Hart*, 701 F.2d 749, 750 (8th Cir.1983) (characterizing as frivolous an appeal in tax case challenging government's jurisdiction over "sovereign citizen"); *United States v. Sterling*, 738 F.3d 228, 233 n. 1 (11th Cir.2013), *cert. denied*, 2014 WL 1621678 (May 27, 2014); *United States v. Benabe*, 654 F.3d 753, 761-67 (7th Cir. 2011) (describing the conduct of another "sovereign citizen" and collecting cases rejecting the group's claims as frivolous). Arguments based on the "sovereign citizen" or "private citizen" movement cannot establish subject matter jurisdiction in this action under the Fourth Amendment.

Plaintiff's remaining arguments are criminal law claims that may only be brought against a defendant by a state or federal prosecutor.

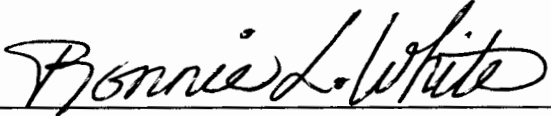
Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to proceed in forma pauperis [Doc. #6] is **DENIED**.

**IT IS FURTHER ORDERED** that this action is **DISMISSED** pursuant to Fed.R.Civ.P.41(b) for failure to comply with this Court's October 30, 2017 Memorandum and Order requiring plaintiff to amend her complaint on a court-form and to provide the Court with a CJA 23 Financial Affidavit or pay the full \$400 filing fee.

An Order of Dismissal will accompany this Memorandum and Order.

Dated this 5<sup>th</sup> day of February, 2018.

  
\_\_\_\_\_  
RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE